

REMARKS

In the Official Communication of August 3, 2004, Claims 1-7 and 13-17 were rejected under 35 USC 103(a). The present communication is fully responsive to the Official Communication.

Claim Election/Restriction

During a telephone conversation with the Examiner on July 13, 2004, Applicant made a provisional election without traverse to prosecute the claims of Invention I, claims 1-7 and 13-17.

Applicant hereby affirms the above-described election.

Claim Rejections – 35 USC 103

Claim 1-7 and 13-17 were rejected under 35 USC 103(a) as being unpatentable over Genovese (5,792,976).

35 USC 103(a) Rejection of Independent Claims 1 and 13

Genovese fails to teach the limitation “one or more inflation devices adapted to *rapidly inflate within milliseconds to provide forceful contact* upon receipt of an initiation signal.” In fact, Genovese actually teaches away from the above-cited limitation.

Genovese describes a “*restraining system* for rendering personnel . . . *immobile*.” [Abstract, lines 1-3]. The system is described as used for “*passively immobilizing or restraining objects*” [col. 1, lines 16, 60, 66; col. 2, lines 12-13, 23-24, 38-39], or for “*denying or impeding access* to secure or sensitive areas.” [col. 2, line 31]. The system of Genovese uses inflatable bags to restrain, offer resistance to, or physically occupy space to passively immobilize or restrain

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personnel or objects.

Accordingly, Genovese teaches away from high inflation rates (*within milliseconds*) that would generate "*forceful contact*" as envisioned by the present invention. In fact, Genovese states that "conventional automobile air bags usually inflate within milliseconds. Such high-inflation rates are not necessary or even desirable" [col. 3, lines 40-43]. In an example application, Genovese describes the inflation of bags to "take place in the order of one second." [col. 4, lines 63-64].

For at least the above discussed reasons, Genovese cannot be relied upon to teach the claimed limitation of "one or more inflation devices adapted to *rapidly inflate within milliseconds to provide forceful contact* upon receipt of an initiation signal." As such, prima facie obviousness has not been established and the 103(a) rejection of independent Claims 1 and 13 should be withdrawn.

35 USC 103(a) Rejections of Dependent Claims 2-7 and 14-17

The rejections of dependent Claims 2-7 and 14-17 are improper for at least the reasons discussed above regarding independent Claims 1 and 13 from which they depend.

Applicant respectfully requests reconsideration and that a timely Notice of Allowance be issued in this case.

Respectfully submitted,



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